

**SUMMARY OF  
GENERAL STATUTES ENACTED  
AT THE  
1<sup>st</sup> SESSION OF THE 156<sup>th</sup>  
GENERAL ASSEMBLY OF GEORGIA  
2021**

**LEGISLATIVE SERVICES COMMITTEE**

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**OFFICE OF LEGISLATIVE COUNSEL**

**316 STATE CAPITOL  
ATLANTA, GEORGIA 30334**





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## FOREWORD

We are pleased to present to you the Summary of General Statutes Enacted at the 2021 Session of the General Assembly of Georgia. This represents one of the services which the Legislative Services Committee and the Office of Legislative Counsel perform for the legislative branch of government. Other services include bill drafting, research, statutory and Code revision, rendering of opinions, counseling, legislative reference, interim committee staffing, and preparation of reports.

This document contains a summary of the general statutes of state-wide application which were enacted at the 2021 regular session of the General Assembly of Georgia. No resolutions, local Acts, or uncodified "population Acts" have been included. The document also includes a table of Code sections amended and enacted at the 2021 session.

Minutely analyzing each statute would be impractical, because doing so would defeat the main purpose which we hope that this document accomplishes. It is intended to be used as a convenient reference for persons desiring to know which laws were enacted or to ascertain the main features of each Act without the necessity of reading the Act in its entirety.

For specific, detailed information on any particular law, the Act itself should be examined. Acts may be readily located in the Georgia Laws by Act number, since the Acts are published in the Georgia Laws in numerical order by Act number. In addition, the Georgia Laws contain a table for converting Act numbers to Georgia Laws page numbers.

This summary is not to be deemed in any manner as an opinion from the Office of Legislative Counsel, and the question of constitutionality has not been considered with respect to any Act.

We hope that this document will benefit all who have occasion to use it. Comments and suggestions for improvement are welcomed and should be directed to the Office of Legislative Counsel.

Rick Ruskell  
Legislative Counsel

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The Acts in this summary are arranged according to the title of the Official Code of Georgia Annotated which they amend. **In those cases in which an Act amends more than one Code title, the Act appears under only one of the affected titles.** For a comprehensive list of bills affecting any particular title, reference should be made to the O.C.G.A Index found immediately after the General Statute Summaries. A table of titles appears below. No Acts are listed for those titles which are indicated by an asterisk.

TITLE 1	GENERAL PROVISIONS
TITLE 2	AGRICULTURE
TITLE 3	ALCOHOLIC BEVERAGES
TITLE 4	ANIMALS
TITLE 5*	APPEAL AND ERROR
TITLE 6*	AVIATION
TITLE 7	BANKING AND FINANCE
TITLE 8	BUILDINGS AND HOUSING
TITLE 9	CIVIL PRACTICE
TITLE 10	COMMERCE AND TRADE
TITLE 11*	COMMERCIAL CODE
TITLE 12	CONSERVATION AND NATURAL RESOURCES
TITLE 13	CONTRACTS
TITLE 14	CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS
TITLE 15	COURTS
TITLE 16	CRIMES AND OFFENSES
TITLE 17	CRIMINAL PROCEDURE
TITLE 18*	DEBTOR AND CREDITOR
TITLE 19	DOMESTIC RELATIONS
TITLE 20	EDUCATION
TITLE 21	ELECTIONS
TITLE 22*	EMINENT DOMAIN
TITLE 23*	EQUITY
TITLE 24*	EVIDENCE
TITLE 25*	FIRE PROTECTION AND SAFETY
TITLE 26	FOOD, DRUGS, AND COSMETICS
TITLE 27	GAME AND FISH
TITLE 28*	GENERAL ASSEMBLY
TITLE 29*	GUARDIAN AND WARD
TITLE 30*	HANDICAPPED PERSONS
TITLE 31	HEALTH
TITLE 32	HIGHWAYS, BRIDGES, AND FERRIES
TITLE 33	INSURANCE
TITLE 34	LABOR AND INDUSTRIAL RELATIONS
TITLE 35	LAW ENFORCEMENT OFFICERS AND AGENCIES
TITLE 36	LOCAL GOVERNMENT
TITLE 37	MENTAL HEALTH
TITLE 38	MILITARY, EMERGENCY MANAGEMENT, AND VETERANS AFFAIRS
TITLE 39*	MINORS

TITLE 40 MOTOR VEHICLES AND TRAFFIC  
TITLE 41\* NUISANCES  
TITLE 42 PENAL INSTITUTIONS  
TITLE 43 PROFESSIONS AND BUSINESSES  
TITLE 44 PROPERTY  
TITLE 45 PUBLIC OFFICERS AND EMPLOYEES  
TITLE 46 PUBLIC UTILITIES AND PUBLIC TRANSPORTATION  
TITLE 47 RETIREMENT AND PENSIONS  
TITLE 48 REVENUE AND TAXATION  
TITLE 49 SOCIAL SERVICES  
TITLE 50 STATE GOVERNMENT  
TITLE 51 TORTS  
TITLE 52\* WATERS OF THE STATE  
TITLE 53\* WILLS, TRUSTS, AND ADMINISTRATION OF ESTATES

**GENERAL ASSEMBLY 2021 SESSION SUMMARY**

HOUSE BILLS	Introduced/Filed	Passed	Pending	Prefiled	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor	
Generals Passed	122	854	206	625	17	6	206/0
Locals Passed	<u>84</u>						
	206						
Pending/Carryovers							Sent to the Governor for Approval: 206
House	559						
Senate	53						
Further Action	12						
Conf. Committee	<u>1</u>						
	625						
Prefiled	17						
Unfav. Rept./Lost/ Withdrawn	<u>6</u>						
	854						
HOUSE RESOLUTIONS	Introduced/Filed	Adopted	Pending	Prefiled	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor	
General	10	567	469	96	1	1	10/0
Constitutional Ams	0						
Non-Privileged	15						
Privileged	<u>444</u>						
	469						Sent to the Governor for Approval: 10
Pending/Carryovers							
House	94						
Senate	2						
Further Action	0						
Conf. Committee	<u>0</u>						
	96						
Prefiled	1						
Unfav. Rept./Lost/ Withdrawn	<u>1</u>						
	567						
SENATE BILLS	Introduced/Filed	Passed	Pending	Prefiled	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor	
Generals Passed	66	322	88	229	2	3	87/1
Locals Passed	<u>22</u>						
	88						
Pending/Carryovers							Sent to the Governor for Approval: 88
House	40						
Senate	180						
Further Action	9						
Conf. Committee	<u>0</u>						
	229						
Prefiled	2						
Unfav. Rept./Lost/ Withdrawn	<u>3</u>						
	322						
SENATE RESOLUTIONS	Introduced/Filed	Adopted	Pending	Prefiled	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor	
General	1	357	283	74	0	0	4/0
Constitutional Ams	1						
Non-Privileged	22						
Privileged	<u>259</u>						Sent to the Governor for Approval: 4
	283						
Pending/Carryovers							
House	5						
Senate	69						
Further Action	0						
Conf. Committee	<u>0</u>						
	74						
Prefiled	0						
Unfav. Rept./Lost/ Withdrawn	<u>0</u>						
	357						
TOTAL BILLS	Introduced/Filed	Passed	Pending	Prefiled/ Hoppers	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor	
HOUSE	854	206	625	17	6	206/0	
SENATE	<u>322</u>	<u>88</u>	<u>229</u>	<u>2</u>	<u>3</u>	<u>87/1</u>	
	1176	294	854	19	9	293/1	
TOTAL RESOLUTIONS	Introduced/Filed	Adopted	Pending	Prefiled/ Hoppers	Unfav. Rept./ Lost/Withdrawn	Signed/Vetoed by Governor	
HOUSE	567	469	96	1	1	10/0	
SENATE	<u>357</u>	<u>283</u>	<u>74</u>	<u>0</u>	<u>0</u>	<u>4/0</u>	
	924	752	170	1	1	14/0	

**TITLE 1  
GENERAL PROVISIONS**

***Act 306; SB 238***

This Act revises provisions of the Code which have the effect of law and clarifies portions of the Code that do not have the effect of law. The Act further clarifies the oversight of the Code Revision Commission relating to supplementary content.

The Act amends O.C.G.A. Sections 1-1-1, 1-1-7, 1-1-8, 28-9-3, and 28-9-5.  
Effective May 10, 2021.

***Act 142; HB 208***

This Act creates the "National Swearing-in Commitment Day" to take place on the second Wednesday of February of each year.

The Act enacts O.C.G.A. Section 1-4-24.  
Effective May 3, 2021.

***Act 307; HB 497***

This Act provides for the revision, modernization, and correction of certain statutes that have been rendered obsolete or incorrect under current law.

Effective May 10, 2021.

**TITLE 2  
AGRICULTURE**

***Act 262; SB 247***

This Act repeals a Code section providing for terms of office of appointed members of the Georgia Seed Development Commission and advisory board. The Act also authorizes the Commissioner of Agriculture to use remote communication for providing notice of and conducting public hearings regarding marketing orders and revises procedures for approval and issuance of marketing orders.

The Act amends O.C.G.A. Sections 2-8-21 and 2-8-23 and repeals O.C.G.A. Section 2-4-8.  
Effective July 1, 2021.

***Act 204; HB 676***

This Act creates a legislative advisory committee to oversee the state's farmers' markets. The Act requires the committee to commission an independent economic study of the farmers' markets and develop a five-year plan to maximize their public benefit.

The Act enacts O.C.G.A. Section 2-10-53.1.  
Effective May 4, 2021.

***Act 220; SB 260***

This Act excludes certain soil amendments from regulation by the Commissioner of Agriculture, authorizes the Commissioner to require site-specific nutrient plans, and limits the width of buffers and setbacks allowed to be imposed by local governments. The Act also authorizes the State Board of Examiners for Certification of Water and Wastewater Treatment Plant Operators and Laboratory Analysts to charge a registration fee for board approved continuing education providers.

The Act amends O.C.G.A. Sections 2-12-80 and 43-51-6.  
Effective July 1, 2021.

***Act 261; HB 336***

This Act revises the Georgia Hemp Farming Act to comply with federal laws and regulations. The Act amends the definition of "processing" and prohibits cultivating or handling hemp in residences. The Act also revises requirements for hemp grower licensees and processor permittees and updates fee, surety bond, and background check provisions.

The Act amends O.C.G.A. Sections 2-23-3, 2-23-4, 2-23-5, 2-23-6, 2-23-7, and 2-23-8 and enacts O.C.G.A. Section 2-23-6.1.  
Effective May 7, 2021.

**TITLE 3  
ALCOHOL**

***Act 227; SB 236***

This Act provides authorization allowing food service establishments licensed to sell certain alcoholic beverages to also sell such beverages for off-premises consumption in approved containers under certain conditions.

The Act enacts O.C.G.A. Section 3-3-11.  
Effective May 5, 2021.

***Act 192; HB 392***

This Act revises certain provisions to allow for local control regarding the distance requirements from school grounds for the licensed retail sale of wine and malt beverages for consumption off the premises.

The Act amends O.C.G.A. Sections 3-3-21, 3-9-10, and 3-9-11.  
Effective May 4, 2021.

***Act 226; HB 273***

This Act provides for the regulation of the sale and transfer of certain alcoholic beverages. The Act provides for the promulgation of rules and regulations regarding the manufacture, distribution, and sale of malt beverages.

The Act repeals O.C.G.A. Section 3-4-24.2 and enacts a new O.C.G.A. Section 3-4-24.2 and enacts O.C.G.A. Section 3-5-24.1.  
Effective May 5, 2021.

*Act 212; SB 145*

This Act revises certain provisions regarding the manufacture, distribution, and packaging of distilled spirits. The Act modifies the petition requirements for initiating a referendum election for the authorization of the issuance of licenses for the package sale of distilled spirits.

The Act amends O.C.G.A. Sections 3-4-41 and 3-4-46.  
Effective May 4, 2021.

**TITLE 4  
ANIMALS**

*Act 278; HB 574*

This Act establishes the Local Government Companion Animal Trust Fund. The Act dedicates licensing fees paid by pet dealers and kennel, stable, and animal shelter operators to the fund, which will be used to reimburse expenses incurred by local governments for impounding animals.

The Act amends O.C.G.A. Section 4-11-3.

Effective July 1, 2021, unless the amount of the funds dedicated by the Act equals or exceeds 1 percent of the previous fiscal year's state revenues subject to appropriations.

**TITLE 7  
BANKING AND FINANCE**

*Act 174; HB 111*

This Act extensively revises provisions relating to banks and financial institutions by clarifying and removing superfluous and outdated language and updating terminology, cross-references, and citations to federal regulations. The Act establishes a name reservation period, updates requirements for certain background checks, and clarifies restrictions on nomenclature. The Act also authorizes remote shareholder, member, and board meetings. The Act revises and consolidates provisions related to mergers, share exchanges, and consolidations of certain banks and financial institutions and revises requirements for out-of-state banks. The Act also provides for expulsions of credit union members under certain circumstances and procedures and requirements for approval of credit union mergers and certain conversions. The Act also authorizes deferments of installment loans.

The Act amends O.C.G.A. Sections 7-1-131, 7-1-234, 7-1-243, 7-1-293, 7-1-432, 7-1-483, 7-1-530, 7-1-531, 7-1-532, 7-1-534, 7-1-535, 7-1-550, 7-1-551, 7-1-552, 7-1-553, 7-1-554, 7-1-555, 7-1-556, 7-1-571, 7-1-628, 7-1-628.2, 7-1-628.3, 7-1-628.7, 7-1-628.8, 7-1-628.9, 7-1-628.10,

7-1-628.12, 7-1-653, 7-1-656, 7-1-667, 7-1-668, 7-1-682, 7-1-1001, 7-3-11, and 7-6A-2; repeals O.C.G.A. Sections 7-1-557 and 7-1-628.13; and enacts O.C.G.A. Section 7-1-651.1.  
Effective July 1, 2021.

## **TITLE 8 BUILDINGS**

### *Act 165; SB 49*

This Act revises procedures for plan review, permitting, and inspection of buildings to allow applicants to elect whether to retain a private professional provider to perform required plan reviews and inspections.

The Act amends O.C.G.A. Section 8-2-26.  
Effective May 4, 2021.

### *Act 211; SB 144*

This Act limits the ability of city housing authorities to operate outside municipal boundaries without authorization from the applicable county or municipal governing body.

The Act amends O.C.G.A. Sections 8-3-3, 8-3-14, and 8-3-15.  
Effective July 1, 2021.

## **TITLE 9 CIVIL PRACTICE**

### *Act 203; HB 714*

This Act provides for new requirements under the "Georgia Civil Practice Act" for settlement offers and arrangements for tort claims for personal injury, bodily injury, and death. The Act revises the liability of an insurer upon refusal to pay an insured for any loss pursuant to uninsured motorist coverage under motor vehicle liability policies. The Act revises a penalty related to an insurer's bad faith settlement refusal. The Act revises the "Metropolitan Atlanta Rapid Transit Authority Act of 1965" so as to provide for venue for actions against the authority or relative to revenue bonds.

The Act amends O.C.G.A. Sections 9-11-67.1 and 33-7-11.  
Effective July 1, 2021, and applicable to causes of action accruing on or after such date.

### *Act 268; SB 234*

This Act enacts the "Georgia Uniform Meditation Act" which provides for uniform laws governing meditation and participants in meditation. The Act provides for definitions. The Act provides for privileges against disclosure, admissibility, and discovery. The Act provides for waiver and preclusion of privilege, as well as for exceptions to privilege. The Act provides for confidentiality and mediator disclosure of conflicts. The Act provides for international commercial mediation and electronic signatures. The Act provides for uniformity of construction and severability.

The Act enacts O.C.G.A. Chapter 9-17.  
Effective July 1, 2021, and applicable to all mediation agreements and mediation proceedings entered into on or after such date.

**TITLE 10  
COMMERCE**

*Act 231; HB 153*

This Act requires a certain disclosure on written solicitations for services relating to corporate filings required by the Secretary of State and provides that failure to comply with such requirement is an unfair or deceptive trade practice.

The Act enacts O.C.G.A. Section 10-1-393.16.  
Effective July 1, 2021.

**TITLE 12  
CONSERVATION AND NATURAL RESOURCES**

*Act 259; HB 619*

This Act authorizes the Department of Natural Resources to sell the heritage preserve property known as Patrick's Fishing Paradise in Enigma, Georgia, to a private entity and provides procedures for such sale.

The Act amends O.C.G.A. Sections 12-3-72 and 12-3-76.  
Effective July 1, 2021.

*Act 258; SB 119*

This Act exempts certain yard waste from a permit requirement for burning. The Act provides for other requirements and responsibilities related to such burning.

The Act amends O.C.G.A. Section 12-6-90.  
Effective July 1, 2021.

*Act 257; HB 355*

This Act makes numerous revisions to the "Georgia Carbon Sequestration Registry Act." The Act revises definitions and provides for the inclusion of building materials that sequester carbon dioxide, building embodied carbon, and the sequestration of carbon dioxide from standing trees on the registry. The Act requires review by a certified third-party organization for reporting embodied carbon results, requires the State Forestry Commission to publish a list of organizations certified to perform such review, and allows the commission to charge a fee for awarding carbon credits. The Act also requires the establishment of the Sustainable Building Material Technical Advisory Committee and provides for such advisory committee's structure, tasks, and dissolution and potential

reestablishment. The Act requires the commission to review program standards relative to building products that sequester carbon and building embodied carbon.

The Act amends O.C.G.A. Sections 12-6-221, 12-6-223, 12-6-228, 12-6-230 and enacts O.C.G.A. Section 12-6-224.1.

Effective July 1, 2021.

***Act 290; HB 511***

This Act revises or creates the following trust funds and dedicates revenues from certain fees and taxes to such funds: the Georgia Outdoor Stewardship Trust Fund, Solid Waste Trust Fund, Hazardous Waste Trust Fund, State Children's Trust Fund, Wildlife Endowment Trust Fund, Trauma Care Network Trust Fund, Transportation Trust Fund, Georgia Agricultural Trust Fund, Fireworks Trust Fund, and Georgia Transit Trust Fund. The Act requires a fiscal dedication analysis for each bill that dedicates funds pursuant to certain constitutional authority. The Act also repeals several provisions related to such trust funds.

The Act amends O.C.G.A. Sections 12-6A-5, 12-8-27.1, 12-8-37.1, 12-8-39, 12-8-40.1, 12-8-91, 12-8-95, 19-14-20, 27-2-30, 31-11-103, 40-2-151.1, 48-8-3.3, 48-13-50.3, 48-13-131, 48-13-141, 49-5-131, 49-5-132, and 49-5-135; repeals O.C.G.A. Sections 19-14-21, 19-14-22, 19-11-23, and 45-12-92.2; and enacts O.C.G.A. Sections 28-5-45 and 40-2-151.2.

Effective July 1, 2022, unless the amount of the funds dedicated by this Act equals or exceeds 1 percent of the previous fiscal year's state revenues subject to appropriations.

**TITLE 13  
CONTRACTS**

***Act 215; SB 169***

This Act requires public procurement officers to accept electronic signatures and electronic corporate seals on bonds for certain public works contracts and certain transportation construction contracts, subject to certain conditions.

The Act amends O.C.G.A. Section 32-2-70 and enacts O.C.G.A. Sections 13-10-43, 13-10-66, and 36-91-42.

Effective May 4, 2021.

**TITLE 14  
CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS**

***Act 37; HB 306***

This Act provides that corporations may hold annual shareholders' meetings and special shareholders' meetings by means of remote communication. The Act provides that nonprofit corporations may hold annual meetings of members and special meetings of members by means of

remote communication. The Act provides for requirements for such meetings by remote communication.

The Act amends O.C.G.A. Sections 14-2-701, 14-2-702, 14-3-701, and 14-3-702 and enacts O.C.G.A. Sections 14-2-708 and 14-3-709.

Effective April 29, 2021.

***Act 31; SB 168***

This Act provides that corporations may hold annual shareholders' meetings and special shareholders' meetings by means of remote communication. The Act provides for requirements for such meetings by remote communication.

The Act amends O.C.G.A. Sections 14-2-701 and 14-2-702 and enacts O.C.G.A. Section 14-2-708. Effective April 27, 2021.

***Act 34; HB 119***

This Act provides that chiropractors may own professional corporations with physicians to the extent not inconsistent with the ethics of the professions involved or otherwise prohibited by law.

The Act amends O.C.G.A. Section 14-7-4.

Effective April 29, 2021.

**TITLE 15  
COURTS**

***Act 7; SB 9***

This Act authorizes the creation of a new judicial circuit to be known as the Columbia Judicial Circuit. The Act further provides for the transfer of certain judges and funds from the Augusta Judicial Circuit so as to revise the composition, expenditures, and compensation of both the newly created Columbia Judicial Circuit and the Augusta Judicial Circuit.

The Act amends O.C.G.A. Sections 15-6-1, 15-6-2, and 15-6-3.

Effective July 1, 2021.

***Act 170; HB 97***

This Act provides that chief clerks of courts shall take the oath required of all civil officers prior to the discharge of their duties.

The Act amends O.C.G.A. Section 15-9-36.

Effective July 1, 2021.

***Act 198; HB 488***

This Act provides for a salary increase adjustment regarding the minimum compensation received by chief magistrates, magistrates, and clerks of magistrate courts.

The Act amends O.C.G.A. Sections 15-9-63.1, 15-10-23, and 15-10-105.  
Effective May 4, 2021

***Act 138; SB 28***

This Act revises and updates provisions relating to the protection of children. The Act requires annual training for juvenile intake officers, provides for the consideration of hearsay evidence in certain juvenile proceedings, and further provides for certain reporting requirements regarding child abuse. The Act revises the definition of "sexual exploitation" in various statutes.

The Act amends O.C.G.A. Sections 15-11-2, 15-11-68, 15-11-133.1, 15-11-145, 15-11-146, 15-11-181, 15-11-215, 15-11-216, 15-11-230, 15-11-321, 15-11-322, 19-7-5, 19-15-1, and 49-5-40.  
Effective January 1, 2022.

***Act 136; SB 20***

This Act revises the composition of the Child Advocate Advisory Committee to include a current or former foster parent, a former foster child, and one individual who served as a court appointed special advocate.

The Act amends O.C.G.A. Section 15-11-747.  
Effective July 1, 2021.

***Act 10; HB 129***

This Act provides for a salary increase adjustment regarding the minimum compensation received by sheriffs in counties where the population exceeds 39,000.

The Act amends O.C.G.A. Section 15-16-20.  
Effective April 1, 2021.

**TITLE 16  
CRIMES AND OFFENSES**

***Act 190; HB 363***

This Act revises the definitions regarding the protections of elder persons and removes enhanced penalties for certain offenses against persons 65 years of age or older. The Act further provides for the offense of improper sexual contact by employee, agent, or foster parent and also provides for the offense of improper sexual contact within programs and facilities used by individuals as a condition of their probation or parole.

The Act amends O.C.G.A. Sections 16-5-20, 16-5-23, 16-5-23.1, 16-5-100, 16-6-5.1, and 16-8-12.  
Effective July 1, 2021.

***Act 16; HB 258***

This Act provides that when an alleged victim is under 16 years of age, the consent of the victim shall not be a defense to a prosecution for certain sexual offenses.

The Act amends O.C.G.A. Sections 16-6-22.1 and 16-6-22.2.

Effective July 1, 2021.

***Act 163; HB 327***

This Act creates the "Organized Retail Crime Prevention Act" which provides for the certain record-keeping and reporting requirements for the sale and purchase of stored value cards and penalties for failure to comply with such requirements. This Act further provides for the offense of organized retail theft and penalties for violations of such offense.

The Act amends O.C.G.A. Sections 16-8-5.2, 16-8-14, and 16-8-14.1 and enacts O.C.G.A. Sections 10-1-310 and 16-8-14.2.

Effective July 1, 2021.

***Act 269; HB 94***

This Act creates the offense of theft by possession of stolen mail, and provides for the penalties of such violations.

The Act enacts O.C.G.A. Sections 16-8-24 and 16-8-25.

Effective July 1, 2021.

***Act 18; SB 235***

This Act revises the provisions of offenses against public order related to a mask, hood, or device which conceals the identity of the wearer to allow exceptions for COVID-19 and other coronaviruses or influenza or infectious diseases.

The Act amends O.C.G.A. Section 16-11-38.

Effective July 1, 2021.

***Act 207; SB 78***

This Act revises the prohibition on electronically transmitting or posting nude or sexually explicit photographs or videos for the purposes of harassing the depicted person and further authorizes an increased penalty for electronic transmission or posting to a webpage that is accessible to the general public.

The Act amends O.C.G.A. Section 16-11-90.

Effective July 1, 2021.

***Act 193; HB 410***

This Act provides that regulatory authority over bingo shall transfer from the director of the Georgia Bureau of Investigation to the Secretary of State.

The Act amends O.C.G.A. Sections 16-12-51, 16-12-52, 16-12-53, 16-12-54, 16-12-55, 16-12-56, 16-12-59, 16-12-61, and 16-12-62 and enacts O.C.G.A. Section 16-12-63.  
Effective July 1, 2021.

***Act 141; SB 195***

This Act provides that low THC oil, marijuana, and tetrahydrocannabinols do not include certain federally approved products. The Act updates and revises definitions of controlled substances. The Act repeals a provision regarding the role of Georgia universities and testing of specifications. The Act further provides additional powers of the Georgia Access to Medical Cannabis Commission regarding the issuance of dispensing licenses, recommendations and input from the oversight committee, and coordination with the Georgia Composite Medical Board.

The Act amends O.C.G.A. Sections 16-12-190, 16-12-200, 16-12-203, 16-12-204, 16-12-206, 16-12-207, 16-12-210, 16-12-211, 16-12-212, 16-12-213, 16-12-215, 16-12-216, 16-12-217, 16-12-221, 16-12-224, 16-12-225, 16-12-226, 16-12-230, 16-12-231, 16-12-233, 16-12-234, 16-12-235, 16-13-21, 16-13-25, and 16-31-29; repeals O.C.G.A. Section 16-12-205; and enacts O.C.G.A. Section 16-12-235.1.

Effective July 1, 2021.

***Act 191; HB 367***

This Act revises certain provisions relating to Schedules I, II, III, IV, and V controlled substances and further revises provisions relating to the definition of "dangerous drug."

The Act amends O.C.G.A. Sections 16-13-25, 16-13-26, 16-13-28, 16-13-29, and 16-13-71.

Effective May 4, 2021.

**TITLE 17  
CRIMINAL PROCEDURE**

***Act 264; HB 479***

This Act revises arrest powers of law enforcement officers working outside of the jurisdiction of their employing law enforcement agency and provides for immunity from liability for certain owners and operators of retail and food service establishments for the detention of certain individuals. The Act repeals certain provisions regarding arrests by private persons under certain circumstances.

The Act amends O.C.G.A. Sections 17-4-20, 17-6-1, 35-2-102, 43-38-13, and 51-7-60; repeals Article 4 of O.C.G.A. Chapter 17-4; and enacts O.C.G.A. Section 17-4-80.

Effective May 20, 2021.

***Act 137; HB 562***

This Act provides that a DFCS case manager be added to the people for whom arrest warrants may be issued only by certain judicial officers. The Act further provides for motion for a change of venue by the prosecuting attorney in certain cases.

The Act amends O.C.G.A. Sections 17-4-40 and 17-7-150.  
Effective May 3, 2021.

***Act 202; HB 635***

This Act provides that each judge of the superior court, state court, probate court, and municipal court and each magistrate shall have authority to perform any lawful judicial act, regardless of where he or she is physically located at the time of such act. The Act also revises certain court procedures regarding when superior courts are authorized to use alternate locations and where trials of court may proceed without a jury. The Act further revises authority for trials upon accusations in certain instances.

The Act amends O.C.G.A. Sections 15-6-16, 15-7-4, 15-9-30, 15-9-82, 15-10-2, 17-4-47, 17-5-21.1, 17-7-20, 17-7-70, 17-7-70.1, and 36-32-12; repeals O.C.G.A. Section 15-6-18; and enacts a new O.C.G.A. Section 15-6-18 and enacts O.C.G.A. Section 17-7-4.

Effective May 4, 2021.

***Act 251; HB 255***

This Act, the "Sexual Assault Reform Act of 2021," provides for the retention of evidence of sexual assault when the victim chooses not to immediately report the assault. The Act provides a tracking system for sexual assault kits. The Act further provides for certain reporting requirements to the Violent Criminal Apprehension Program, which is established and maintained by the Federal Bureau of Investigation.

The Act amends O.C.G.A. Sections 15-24-2 and 17-5-71 and enacts O.C.G.A. Sections 17-5-74 and 35-1-23.

Effective July 1, 2021.

***Act 216; SB 174***

This Act revises bail restricted offenses and authorizes appointed judges who are fulfilling a vacancy of an elected judge to issue certain bonds and unsecured judicial release under certain circumstances.

The Act amends O.C.G.A. Sections 17-6-1 and 17-6-12.

Effective May 4, 2021.

***Act 151; SB 105***

This Act revises the conditions and procedures under which state-wide probation sentences may be modified for early termination.

The Act amends O.C.G.A. Sections 17-10-1 and 42-8-37.

Effective May 3, 2021.

*Act 237; SB 117*

This Act provides for the offenses of improper sexual contact by person in a position of trust in the first and second degrees and penalties for such violations. The Act revises the definition of "dangerous sexual predator" to include the offense of improper sexual contact by a person in a position of trust in the first and second degrees. The Act further provides that record restrictions shall not be appropriate for such offenses under certain circumstances.

The Act amends O.C.G.A. Sections 16-6-5.1, 17-10-6.2, 35-3-37, 42-1-12, 42-5-56, and 49-2-14.1.  
Effective July 1, 2021.

*Act 233; HB 141*

This Act requires that certain victim compensation awards be made from the Georgia Crime Victims Emergency Fund to medical service providers.

The Act amends O.C.G.A. Section 17-15-8.

Effective July 1, 2022.

**TITLE 19  
DOMESTIC RELATIONS**

*Act 140; HB 154*

This Act revises provisions regarding the protections of foster children and adopted children in certain court proceedings. The Act provides for notice by certified mail in certain proceeding, and revises provisions relating to the surrender of a mother's parental rights and provisions relating to the results of a search of the putative father registry. This Act provides for an additional unlawful inducement as related to adoption and provides for restitution. The Act further revises provisions for petitioners in adoption proceedings and provides for the appointment of guardians for minors who are in the custody of the Division of Family and Children Services.

The Act amends O.C.G.A. Sections 19-8-2, 19-8-3, 19-8-5, 19-8-9, 19-8-10, 19-8-11, 19-8-12, 19-8-13, 19-8-14, 19-8-16, 19-8-18, 19-8-24, 19-8-26, and 29-4-10.

Effective July 1, 2021.

*Act 29; SB 34*

This Act provides that victims of human trafficking may petition for a name change to be kept under seal. The Act also provides for determination by the court.

The Act amends O.C.G.A. Section 19-12-1.

Effective July 1, 2021.

*Act 183; HB 236*

This Act provides for requested discretionary monitoring of a victim after the granting of a temporary protective order.

The Act enacts O.C.G.A. Section 19-13-4.1.  
Effective May 4, 2021.

*Act 273; HB 231*

This Act expands provisions regarding victims of stalking and further provides for dating violence protective orders sought in superior court.

The Act amends O.C.G.A. Section 16-5-94 and enacts O.C.G.A. Chapter 19-13A.  
Effective July 1, 2021.

**TITLE 20  
EDUCATION**

*Act 144; SB 85*

This Act, the "Max Gruver Act," provides for expanded definitions relating to criminal hazing. The Act also requires that postsecondary schools establish policies for reporting, investigating, and administrative adjudication of alleged incidents of hazing as related to students and student organizations at postsecondary schools. The Act also requires that postsecondary schools provide for certain public disclosures relating to such administrative adjudications.

The Act amends O.C.G.A. Section 16-5-61 and enacts Article 3 of O.C.G.A. Chapter 20-1.  
Effective July 1, 2021.

*Act 158; SB 59*

This Act prohibits the waiver of early intervention program requirements in local school system flexibility contracts and requires that new and renewed charters for charter schools and charter systems shall be subject to early intervention program requirements. The Act provides for additional QBE funding for each full-time equivalent student within a local charter school and for a maximum amount of such funding available to each local charter school. The Act further provides for direct allocation of appropriated funds to local charter schools by the State Board of Education and for the allocation and distribution of federal funds by local school systems to local charter schools. The Act provides an additional opportunity for existing charter schools to elect to participate in a health insurance plan for teachers and employees. The Act provides that certain employees of state charter schools shall be included in the definition of "public school employee" for purposes of the health insurance plan for public school employees.

The Act amends O.C.G.A. Sections 20-2-82, 20-2-165.1, 20-2-880, 20-2-910, 20-2-2065, 20-2-2068.1, and 20-2-2068.2.

Effective July 1, 2021, except Section 2, relating to additional QBE funding for each full-time equivalent student within a local charter school, the maximum amount of such funding available to each local charter school, and the direct allocation of appropriated funds to charter schools by the State Board of Education, which shall become effective July 1, 2022.

***Act 30; HB 287***

This Act provides for the addition of human trafficking awareness in the course of instruction regarding health and physical education required for grades six through 12. The Act provides for the inclusion of information relating to vapor products in the course of instruction regarding health and physical education required for kindergarten through grade 12. The Act provides for the inclusion of information relating to tobacco and vapor products in the course of instruction regarding alcohol and drugs required for kindergarten through grade 12.

The Act amends O.C.G.A. Sections 20-2-142 and 20-2-144.

Effective July 1, 2021.

***Act 156; SB 153***

This Act provides for alternative charter schools and for the designation of alternative charter schools. The Act requires system-collaborative state charter schools to transition from operating under state charters to operating as alternative charter schools or temporarily as state chartered special schools. The Act provides for eligibility criteria, requirements, and procedures; enrollment; and funding. The Act prohibits expansion, extension, renewal, or replication of system-collaborative state charter schools. The Act prohibits approval, renewal, or extension of certain state charter school petitions. The Act defines such terms as "alternative charter schools" and "system-collaborative state charter schools." The Act provides for collection and analysis of data on alternative schools and their effectiveness by the Department of Education in collaboration with the Office of Student Achievement. The Act also provides for legislative intent to study alternative education models and funding, including those focused on dropout prevention, high school credit recovery, and service of adult and incarcerated students.

The Act amends O.C.G.A. Sections 20-2-154.1, 20-2-2068.1, and 20-2-2084.

Effective July 1, 2021.

***Act 266; SB 88***

This Act provides that the Georgia Teacher of the Year be invited to serve as an advisor ex officio to the State Board of Education at a meeting or public hearing of the State Board of Education and for reimbursement of his or her costs for attending such meeting or hearing. The Act provides for a nontraditional teacher certification program for members and veterans of the United States armed forces and provides for up to three years of creditable service relating to salary calculation for previous military service for certain teachers. The Act requires local school systems participating in a tiered evaluation system to use time saved due to reduced evaluations for evaluators to coach and mentor certain teachers. The Act provides that the Professional Standards Commission require teacher education programs to include mandatory course work in differentiated instruction and reading fundamentals and provides that the Professional Standards Commission promote increased student enrollment in and completion of teacher education programs offered at historically black colleges and universities in this state.

The Act amends O.C.G.A. Sections 20-2-206, 20-2-210, 20-2-212.1 and 20-2-984.

Effective July 1, 2021.

***Act 160; SB 213***

This Act provides for payment on guaranteed energy saving contracts by local school systems using proceeds from local option sales taxes collected for educational purposes (ESPLOST). The Act provides for phased implementation of energy cost savings measures. The Act also provides for increases in the value percentage threshold applicable to certain improvements. The Act revises the definition of the terms "energy cost savings measure" and "energy conservation measure" and "governmental unit."

The Act amends O.C.G.A. Sections 20-2-506 and 50-37-2.  
Effective July 1, 2021.

***Act 246; SB 246***

This Act, the "Learning Pod Protection Act," provides for learning pods for children in kindergarten through grade 12. The Act provides for applicability of certain laws to learning pods and for exemptions applicable to learning pods. The Act provides that mandatory student attendance is satisfied by learning pod participation to facilitate a remote learning option provided for by the student's primary education provider. The Act provides for administrative and judicial proceedings relating to the provisions of the Act.

The Act amends O.C.G.A. Section 20-2-690.  
Effective July 1, 2021.

***Act 245; SB 42***

This Act authorizes home study students in grades six through 12 to participate in extracurricular and interscholastic activities in the student's resident public school system. The Act requires that such participation shall be on behalf of the home study student's resident school. The Act requires home study students to complete one qualifying course facilitated by the resident school system for each semester of the regular school year during any part of which the home study student participates in an extracurricular or interscholastic activity. The Act provides for eligibility requirements. The Act also provides for a period of ineligibility for students who withdraw from a public school to participate in a home study program. The Act defines such terms as "extracurricular activities," "interscholastic activities," and "qualifying course." The Act authorizes parents and guardians of home study students to execute documents for verification purposes. The Act also provides that local school systems shall annually report certain student discipline information and publish certain student disciplinary and placement action information for ready access by parents and other community members.

The Act amends O.C.G.A. Sections 20-2-690 and 20-14-33 and enacts O.C.G.A. Section 20-2-319.6.  
Effective July 1, 2021.

***Act 253; SB 204***

This Act provides for the State Board of the Technical College System of Georgia to award high school diplomas. The Act provides for the Dual Achievement Program, a pilot program by the State

Board of the Technical College System of Georgia, which allows students who are 16 years of age or older who have completed certain coursework requirements and have withdrawn from a Georgia public secondary school to enroll in the Dual Achievement Program at a technical college of this state and earn a high school diploma upon successful completion of the program. The Act provides for the purposes of the program and for requirements for student eligibility. The Act provides for waivers and variances deemed necessary to implement the program and provides for rules and regulations relating to the program. The Act provides for a repealer for the Dual Achievement Program. The Act also provides for notice requirements for students under age 18 before withdrawing from a Georgia public secondary school.

The Act amends O.C.G.A. Sections 20-2-690.1, 20-4-11, and 20-4-18 and enacts Article 6 of O.C.G.A. Chapter 20-4.

Effective July 1, 2021.

***Act 243; SB 47***

This Act revises various provisions of the Georgia Special Needs Scholarship Act. The Act expands scholarship eligibility to include certain students who are eligible for accommodations or services under Section 504 of the federal Rehabilitation Act of 1973. The Act provides for exceptions to the prior school year requirement. The Act revises the basis for calculating scholarship amounts and provides for a review procedure for scholarship calculations. The Act requires annual parent surveys. The Act provides for the State Board of Education to adopt rules relating to student eligibility, transparency, and awareness of the impact of the program.

The Act amends O.C.G.A. Sections 20-2-2113, 20-2-2114, 20-2-2116, and 20-2-2117.

Effective July 1, 2021.

***Act 139; SB 107***

This Act provides for the Technical College System of Georgia to waive costs to obtain a GED and to waive tuition and all fees, including customary rooming and board fees, for qualifying foster and adopted individuals, subject to certain exceptions. The Act provides for student qualifications and for exceptions. The Act provides for the involvement and duties of the Division of Family and Children Services and also provides for the involvement of the State Board of the Technical College System of Georgia. The Act urges the Board of Regents of the University System of Georgia to adopt similar tuition and fee waiver provisions for the benefit of foster and adopted students. The Act also provides for in-state tuition at units of the University System of Georgia and the Technical College System of Georgia for certain youth who are from homeless situations, as defined in the Act.

The Act amends O.C.G.A. Section 20-3-66 and enacts O.C.G.A. Section 20-3-660.

Effective July 1, 2021.

***Act 252; SB 81***

This Act revises provisions relating to the authorization for nonlapsing revenue collected by institutions of the University System of Georgia and the Technical College System of Georgia, extends automatic repeals of authorization for such nonlapsing revenue, and requires annual reports

regarding such nonlapsing revenue. The Act also extends automatic repeals of certain provisions regarding writing off small amounts due to the state. The Act changes the name of the Office of College and Career Transitions to the Office of College and Career Academies, provides for increased technical skills for certification for college and career academies, and provides for collaboration between the Technical College System of Georgia and certain entities to support efforts to recruit new industries and expand existing industries.

The Act amends O.C.G.A. Sections 20-3-86, 20-4-21.1, 20-4-37, and 50-16-18.  
Effective May 6, 2021.

***Act 230; HB 152***

This Act includes multiple provisions relating to nonpublic postsecondary educational institutions. The Act revises provisions relating to the exemption applicable to certain nonpublic postsecondary educational institutions operating on military installations or bases. The Act provides for alternative review of renewal applications and alternative inspection of facilities of nonpublic postsecondary educational institutions. The Act provides for filing a surety bond in the event of a change of ownership of nonpublic postsecondary educational institutions and for the remittal of surety bonds

The Act amends O.C.G.A. Sections 20-3-250.3, 20-3-250.6, 20-3-250.8, and 20-3-250.10.  
Effective July 1, 2021.

***Act 201; HB 606***

This Act adds the Georgia Independent School Association to the list of organizations approved for accrediting for Georgia high schools.

The Act amends O.C.G.A. Section 20-3-519.  
Effective July 1, 2021.

***Act 229; SB 187***

This Act establishes a procedure for students with a disability as defined by the Americans with Disabilities Act to apply for a waiver from certain HOPE scholarship and grant eligibility requirements. The Act provides for responsibilities of the Georgia Student Finance Commission relating to such waiver applications.

The Act amends O.C.G.A. Section 20-3-519.2.  
Effective July 1, 2021.

***Act 228; HB 617***

This Act allows student athletes participating in intercollegiate athletic programs at postsecondary educational institutions to receive name, image, or likeness compensation, subject to certain conditions. The Act prohibits intercollegiate athletic associations from preventing student athletes from receiving name, image, or likeness compensation or otherwise penalizing student athletes for receiving name, image, or likeness compensation. The Act allows for team contracts to provide for pooling arrangements whereby a student athlete who receives name, image, or likeness compensation may share a portion of such compensation by contributing to a fund established for

the benefit of individuals previously enrolled as student athletes in the same postsecondary educational institution as such student athlete, subject to certain conditions. The Act provides for professional representation of student athletes participating in intercollegiate athletics. The Act includes legislative findings and definitions. The Act provides for contingent effectiveness.

The Act enacts Article 13 of O.C.G.A. Chapter 20-3.

Effective July 1, 2021.

## **TITLE 21 ELECTIONS**

### ***Act 9; SB 202***

This Act, the "Election Integrity Act of 2021," provides legislative findings and comprehensively revises election and voting laws. The Act authorizes the Attorney General to establish a voter intimidation and illegal election activities hotline. The Act changes the State Election Board by providing for the election of the chairperson by the General Assembly and making the Secretary of State a nonvoting ex officio member. The Act also provides for the appointment, confirmation, term, removal, and qualifications of the chairperson of the board and authorizes and provides procedures for the board to suspend, remove, and appoint replacements for local election superintendents. The Act limits the board's power to adopt emergency rules and regulations, requires submission of such rules and regulations to certain legislative committees, and authorizes those committees to suspend such rules and regulations. The Act requires the board and the Secretary of State to notify certain legislative committees before entering into certain consent agreements, settlements, or orders. The Act prohibits election superintendents and boards of registrars from accepting private funding and requires the State Election Board to propose a method for distributing donations for the administration of elections. The Act provides for the appointment and compensation of acting superintendents in case of vacancy or incapacitation of a probate court judge in counties without a board of elections. The Act authorizes certain persons to serve as poll workers outside their counties of residence. The Act also provides for the appointment and duties of performance review boards and authorizes performance reviews of local election officials upon request by local governing authorities, members of the state legislature, or the State Election Board. The Act revises procedures for the event that certain candidates die before an election and revises procedures and standards for challenging electors. The Act requires the Secretary of State to use information from a multistate voter registration system, once becoming a member of such system, to maintain the list of eligible electors. The Act requires certain precincts to be reduced in size or have additional equipment or workers and requires certain notices when polling places are relocated. The Act limits the use of buses and other moveable facilities for voting, requires the name and designation of the precinct on ballots, and requires ballots to be printed on security paper. The Act provides for the allocation of voting equipment by counties and municipalities and requires certain public notices for required testing of voting equipment. The Act revises the application, issuance, and return processes for absentee ballots, provides requirements for and limitations on drop boxes, and requires certain identification for absentee voting. The Act also authorizes the Secretary of State to inspect and audit absentee ballot applications or envelopes. The Act limits the extension of poll hours by judges, changes the times for advance voting, limits changes to advance voting locations,

and requires notice for such changes. The Act authorizes certain monitoring and observing of ballot processing, requires poll watchers to complete training, and restricts the distribution of certain items within close proximity to polls on election days. The Act also limits voting by provisional ballot, revises procedures for processing, counting, and tabulating ballots and shortens the deadline for election certification. The Act provides for duplication panels for defective ballots and requires special absentee run-off ballots for military and overseas voting. The Act revises the time for and eligibility to vote in runoffs, provides for special primaries and elections for certain vacancies, and authorizes the Governor to fill certain vacancies. The Act provides for a pilot program for the scanning and publishing of ballots and provides that ballot images are public records. The Act also prohibits: improperly opening absentee ballots; observing or attempting to observe how a voter marks or has marked a ballot or inducing a voter to do so; accepting absentee ballots for return or delivery, except under certain circumstances; and photographing or other recording of ballots and ballot markers. The Act allows the delay of reapportionment of municipal corporation election districts when census numbers are delayed. The Act further requires the adoption of rules and regulations and authorizes sanctions for failure to comply with certain provisions.

The Act amends O.C.G.A. Sections 21-2-2, 21-2-3, 21-2-30, 21-3-33.1, 21-2-71, 21-2-92, 21-2-134, 21-2-212, 21-2-229, 21-2-230, 21-2-232, 21-2-263, 21-2-265, 21-2-266, 21-2-284, 21-2-284.1, 21-2-285, 21-2-285.1, 21-2-286, 21-2-287, 21-2-367, 21-2-372, 21-2-379.23, 21-2-379.25, 21-2-381, 21-2-382, 21-2-384, 21-2-385, 21-2-386, 21-2-390, 21-2-403, 21-2-408, 21-2-414, 21-2-418, 21-2-419, 21-2-437, 21-2-438, 21-2-480, 21-2-482, 21-2-483, 21-2-492, 21-2-493, 21-2-501, 21-2-540, 21-2-541, 21-2-542, 21-2-568, 36-35-4.1, 50-13-4, and 50-18-71 and enacts O.C.G.A. Sections 21-2-33.2, 21-2-35, 21-2-36, 21-2-74.1, 21-2-105, 21-2-106, 21-2-107, 21-2-108, 21-2-420, 21-2-421, 21-2-546, 21-2-568.1, and 21-2-568.2.

Effective March 25, 2021, except that Sections 21, 23, 25, 27, 28, and 29 of the Act shall become effective on July 1, 2021.

### ***Act 219; SB 221***

This Act defines "leadership committees" and authorizes such committees to receive contributions and spend funds to influence elections and support campaigns for office. The Act provides for the disposition of committee assets under certain circumstances and requires committees to register certain contributions and expenditures and file disclosure reports. The Act also exempts contributions to the committees from certain contribution limits and requires a disclaimer on certain communications paid for by the committees.

The Act enacts O.C.G.A. Section 21-5-34.2.

Effective July 1, 2021.

**TITLE 26**  
**FOOD, DRUGS, AND COSMETICS**

*Act 240; HB 653*

This Act revises the definition of the term "pharmacy care" to include the ordering and administering of certain tests. The Act provides requirements for such ordering and administering of tests.

The Act amends O.C.G.A. Section 26-4-5.

Effective May 6, 2021.

*Act 19; HB 316*

This Act provides for certain ratios of pharmacists providing direct supervision to pharmacy technicians. The Act requires that when a pharmacist directly supervises four pharmacy technicians, two of the pharmacy technicians must be certified; when a pharmacist directly supervises three pharmacy technicians, one of the pharmacy technicians must be certified; and no certification is required for pharmacy technicians in pharmacies when a pharmacist directly supervises one or two pharmacy technicians.

The Act amends O.C.G.A. Section 26-4-82.

Effective April 21, 2021.

*Act 205; SB 4*

This Act prohibits patient brokering by any person, including any substance abuse provider, and provides for exceptions. The Act provides for misdemeanor and felony criminal penalties based on certain criteria. The Act also authorizes the Attorney General or a district attorney with jurisdictional authority to maintain an action to enforce provisions of the Act, including actions for injunctive relief and recovery of related reasonable expenses and costs. The Act also provides that any billing for excessive, fraudulent, or high-tech drug testing of certain individuals is considered a fraudulent insurance act. The Act provides for investigation by the Commissioner of Insurance and provides for misdemeanor criminal penalties. The Act defines terms, including "substance abuse provider" and "high-tech drug testing."

The Act enacts Article 3 of O.C.G.A. Chapter 26-5 and O.C.G.A. Section 33-1-16.1.

Effective July 1, 2021.

**TITLE 27**  
**GAME AND FISH**

*Act 32; HB 362*

This Act redefines bass, trout, and mountain trout and changes the date on which rules and regulations of the Board of Natural Resources must be in effect for establishing criminal violations. The Act also revises the caliber of muzzleloading firearms allowed for hunting, authorizes the

Department of Natural Resources to establish a deer management assistance program, and provides for restrictions on fishing with minnow traps.

The Act amends O.C.G.A. Sections 12-2-2, 27-1-2, 27-1-39, 27-3-4, 27-3-15, 27-4-5, 27-4-6, 27-4-10, and 52-7-26.

Effective April 27, 2021.

## **TITLE 31 HEALTH**

### ***Act 200; HB 567***

This Act provides for the health of mothers and infants in childbirth. The Act requires health care providers, health care facilities, and pharmacies to provide access to the Maternal Mortality Review Committee to records within 30 days of request. The Act revises provisions relating to newborn screening for various disorders. The Act creates the Newborn Screening and Genetics Advisory Committee to review and make recommendations to the department when a new disorder is added to the federal Recommended Uniform Screening Panel. The Act allows for requests for appropriations to cover new disorders.

The Act amends O.C.G.A. Sections 31-2A-16 and 31-12-6.

Effective July 1, 2021.

### ***Act 292; SB 46***

This Act provides for licensure and certification of emergency medical services personnel, paramedics, and cardiac technicians previously convicted of a felony. The Act requires random drug tests for certain firefighters, emergency medical services personnel, paramedics, and cardiac technicians. The Act authorizes the Department of Public Health to release deidentified data from the low THC Oil Patient Registry to government entities and other entities for research and other purposes. The Act authorizes certain medical personnel to administer vaccines during public health emergencies under certain conditions. The Act provides for the training for firefighters, emergency medical services personnel, paramedics, and cardiac technicians in institutions under the control of the Department of Corrections. The Act revises certain provisions relating to the administration of vaccines under vaccine protocol agreements.

The Act amends O.C.G.A. Sections 25-4-8, 31-2A-18, 31-11-51, 31-11-52, 31-11-53, 31-11-55, 31-12-3.1, 42-5-57, and 43-34-26.1 and enacts O.C.G.A. Sections 25-4-11.1 and 31-11-60.2.

Effective May 10, 2021.

### ***Act 218; SB 215***

This Act authorizes certified medication aids to administer certain medications to nursing home residents under certain circumstances. The Act provides for criteria and requirements. The Act provides that certified medication aids employed by a nursing home are not authorized to administer Schedule II narcotic controlled substances. The Act provides for employer based certified nurse aide training in assisted living communities, private homes, and other long-term care facilities.

The Act enacts O.C.G.A. Sections 31-7-12.7 and 31-7-12.8.  
Effective May 4, 2021.

***Act 274; HB 370***

This Act provides for term limits for members of joint hospital authorities. The Act provides that joint hospital authorities that lease certain hospitals are subject to limitations on utilization of revenues. The Act provides for applicability related to joint hospital authorities.

The Act amends O.C.G.A. Sections 31-7-72 and 31-7-77.  
Effective July 1, 2021.

***Act 186; HB 271***

This Act authorizes the Department of Community Health to assess one or more provider matching payments on ambulance services for the purpose of obtaining federal financial participation in Medicaid. The Act provides for definitions of ambulance service, board, department, and provider matching payment. The Act provides for payment into the Indigent Care Trust Fund. The Act provides for penalties related to overdue provider matching payments. The Act provides for use of funds. The Act provides for inspection of records. The Act provides for rules and regulations. The Act provides for statutory construction.

The Act enacts O.C.G.A. Section 31-11-31.2.  
Effective July 1, 2021.

***Act 146; HB 346***

This Act authorizes the administration of hydrocortisone sodium succinate by paramedics to patients with congenital adrenal hyperplasia under certain conditions. The Act provides for definitions of "congenital adrenal hyperplasia" and "emergency medical services personnel." The Act provides for requirements related to appropriate training. The Act provides for immunity related to paramedics who in good faith render emergency care.

The Act enacts O.C.G.A. Section 31-11-55.2.  
Effective July 1, 2021.

***Act 223; HB 93***

This Act eliminates duplicative state licensure and regulation of clinical laboratories. The Act repeals provisions relating to examination of human specimens and methods for selection of blood donors and collection, storage, and processing of human blood. The Act eliminates state inspections of clinical laboratories. The Act provides for conforming changes with regard to the Nuclear Pharmacy Act and preliminary urine drug tests for inmates. The Act revises the definition of "pharmacy care."

The Act amends O.C.G.A. Sections 31-22-1, 31-22-2, 31-22-6, 31-22-7, 31-22-9.1, 31-22-12, 26-4-5, 26-4-172, and 42-1-10 and repeals O.C.G.A. Sections 31-22-4, 31-22-5, 31-22-8, and 31-22-9.

Effective July 1, 2021.

*Act 244; HB 128*

This Act prohibits providers from discriminating against potential organ transplant recipients due solely to the physical or mental disability of the potential recipient. The Act provides for definitions of "anatomical gift," "auxiliary aids or services," "covered entity," "disability," "organ transplant," and "qualified recipient." The Act provides for exceptions. The Act provides for referrals and recommendations. The Act provides for compliance with federal requirements. The Act provides for civil action and relief. The Act prohibits health insurers from discriminating against potential organ transplant recipients due solely to the physical or mental disability of the potential recipient. The Act provides for definitions of "attending health care provider," "covered person," "health benefit plan," and "health insurance issuer." The Act provides for health benefit plans and collective bargaining. The Act provides for applicability. The Act revises the parental requirement for consent with regard to cardiopulmonary resuscitation. The Act revises the definition of "parent."

The Act amends O.C.G.A. Sections 31-39-2 and 31-39-4 and enacts O.C.G.A. Sections 31-1-24 and 33-24-59.30.

Effective July 1, 2021.

**TITLE 32  
HIGHWAYS**

*Act 224; HB 588*

This Act provides for eligible expenditures for the Georgia Freight Railroad Program. The Act revises provisions for financing and letting of projects by the Department of Transportation and provides for an alternative contracting method for certain projects. The Act also provides for the intended appropriations of highway impact fees, the proceeds from certain sales and use taxes on fuel for use in locomotives, and taxes imposed by innkeepers. The Act further requires certification related to such appropriations, provides for automatic repeal of those fees and taxes under certain circumstances, and requires the department to provide an annual accounting of the funds received and expended based on the sales and use taxes for fuel for use in locomotives.

The Act amends O.C.G.A. Section 32-2-41.3, 32-2-69, 32-2-78, 32-2-79, 32-2-80, 32-2-81, 32-10-60, 32-10-63, 40-2-151.1, and 48-13-50.3 and enacts O.C.G.A. Sections 32-2-82 and 48-8-78.

Effective July 1, 2021.

*Act 241; HB 577*

This Act requires the Board of Natural Resources to adopt rules and regulations relative to requests for variances for road construction and maintenance projects undertaken by the Georgia Department of Transportation. The Act revises provisions for financing and letting of projects by the Department of Transportation and provides for an alternative contracting method for certain projects. The Act also revises provisions related to the licensing of airports and provides for the issuance of cease and desist orders and punishment for operating without a license. The Act further revises bond validation processes for the State Road and Tollway Authority and revises powers and

definitions relative to the authority. The Act also provides that the maximum speed limit for urban or residential districts may be established by appropriate signs.

The Act amends O.C.G.A. Sections 12-7-6, 32-2-65, 32-2-68, 32-2-69, 32-2-78, 32-2-79, 32-2-80, 32-2-81, 32-9-8, 32-10-60, 32-10-63, 32-10-107, and 40-6-181 and enacts O.C.G.A. Section 32-2-82.

Effective July 1, 2021.

### **TITLE 33 INSURANCE**

#### ***Act 248; SB 43***

This Act, the "Noncovered Eye Care Services Act," provides that certain actions by health care insurers offering eye care benefit plans constitute unfair trade practices. The Act provides for definitions related to coverage for eye care services.

The Act amends O.C.G.A. Section 33-6-4.

Effective July 1, 2021, and applicable to all policies or contracts issued, delivered, issued for delivery, or renewed in this state on after such date.

#### ***Act 181; HB 205***

This Act provides a framework for regulating the offering or issuance of travel insurance in this state. The Act revises and provides for definitions relating to travel and travel services.

The Act amends O.C.G.A. Sections 33-7-5 and 33-23-12.

Effective May 4, 2021.

#### ***Act 149; HB 241***

This Act revises the meaning of property insurance and changes the parameters under which certain contracts, agreements, or instruments may be cancelled. The Act provides for penalties.

The Act amends O.C.G.A. Section 33-7-6.

Effective July 1, 2021.

#### ***Act 20; HB 244***

This Act defines "flood risk reduction" and includes such term in the enumerated list of county purposes for which county ad valorem taxes or county corporation taxes based upon gross direct insurance premiums shall be used.

The Act amends O.C.G.A. Section 33-8-8.3.

Effective April 21, 2021.

***Act 195; HB 454***

This Act provides for certain coverage requirements concerning providers that become out-of-network during a plan year. The Act provides for exceptions and applicability.

The Act amends O.C.G.A. Sections 33-20C-2 and 33-24-59.27.

Effective July 1, 2021, and applicable to the right to shop for insurance coverage beginning on or after January 1, 2022.

***Act 36; HB 234***

This Act, the "Self-funded Healthcare Plan Opt-in to the Surprise Billing Consumer Protection Act," provides an option for self-funded healthcare plans, exempt from state regulation under federal law, to opt into Georgia's Surprise Billing Consumer Protection Act. The Act provides for definitions related to healthcare plans and services and provides for legislative findings.

The Act enacts O.C.G.A. Chapter 33-20F.

Effective April 29, 2021.

***Act 185; HB 254***

This Act increases the Insurance Commissioner's enforcement authority with regard to adjusters. The Act provides for allowable types of remuneration. The Act provides for proof of financial responsibility, record keeping, and consumer protections. The Act provides for advertising requirements. The Act prohibits certain acts.

The Act amends O.C.G.A. Sections 33-23-43 and 33-23-43.2 and enacts O.C.G.A. Sections 33-23-43.1, 33-23-43.3, 33-23-43.4, 33-23-43.5, 33-23-43.6, 33-23-43.7, 33-23-43.8, and 33-23-43.10.

Effective July 1, 2021.

***Act 188; HB 307***

This Act revises the "Georgia Telehealth Act" and authorizes patients to receive telemedicine services from their home, workplace, or school. The Act allows for audio-only care under certain circumstances. The Act prohibits the requirement that a patient have an in-person consultation before receiving telemedicine services. The Act prohibits more stringent utilization review requirements. The Act prohibits separate deductibles for telemedicine services. The Act prohibits the requirement that health care providers use a specific telehealth platform or vendor. The Act prohibits additional restrictions on prescribing medications through telemedicine. The Act requires that health care providers provide documentation for telemedicine services that is as extensive and thorough as that provided through in-person consultations.

The Act amends O.C.G.A. Section 33-24-56.4.

Effective May 4, 2021.

*Act 235; HB 509*

This Act requires certain insurers to make at least one reasonably priced comprehensive major medical health insurance policy available to residents in this state without limitation or exclusion based on preexisting conditions. The Act conditions such requirement on the repeal or judicial invalidation of certain provisions of the federal Patient Protection and Affordable Care Act. The Act provides for definitions relative to group or blanket accident and sickness insurance.

The Act enacts O.C.G.A. Section 33-30-16.

Effective July 1, 2021.

*Act 266; SB 80*

This Act, the "Ensuring Transparency in Prior Authorization Act," provides additional standards for utilization review. The Act provides for statutory construction. The Act provides for definitions related to healthcare plans and services.

The Act amends O.C.G.A. Sections 33-46-1 through 33-46-16 and enacts Article 2 of O.C.G.A. Chapter 33-46.

Effective January 1, 2022, and applicable to all policies or contracts issued, delivered, issued for delivery, or renewed in this state on or after such date.

**TITLE 34  
LABOR AND INDUSTRIAL RELATIONS**

*Veto No. 1; SB 156*

This Act provides for the appointment of a chief labor officer by the Speaker of the House of Representatives, subject to confirmation by the Senate Committee on Government Oversight. The Act provides that the chief labor officer shall exercise the authority of the Commissioner of Labor in certain matters and shall promptly respond to financial audits. The Act provides for the oath, bond, power, duties, authority, and removal of the chief labor officer. The Act requires the Commissioner of Labor to provide the chief labor officer with staff, resources, information, and records. The Act requires the Commissioner of Labor to provide weekly reports to certain officers of the General Assembly containing certain information related to claims for unemployment compensation benefits. The Act provides members of the General Assembly with access to information and documents concerning constituents' claims for unemployment benefits with such individuals' consent and requires the Department of Labor to develop and make available a consent form for such purpose. The Act provides for automatic repeal.

The Act amends O.C.G.A. Sections 34-8-70 and 34-8-125 and enacts O.C.G.A. Section 34-2-3.1.

*Act 289; HB 532*

This Act provides for service of certain documents to be served on the Commissioner of Labor or the Department of Labor. The Act revises certain provisions relating to the powers and duties of

the Commissioner of Labor. The Act revises certain provisions relating to eligibility requirements for extended benefits administered by the Department of Labor.

The Act amends O.C.G.A. Sections 34-8-70 and 34-8-197 and enacts O.C.G.A. Section 34-2-16. Effective May 10, 2021.

**TITLE 35  
LAW ENFORCEMENT OFFICERS AND AGENCIES**

*Act 217; SB 198*

This Act provides for the receipt of a law enforcement officer's badge and duty weapon upon retirement and provides for salary increases upon the completion of certain education courses.

The Act amends O.C.G.A. Section 35-2-42 and enacts O.C.G.A. Section 35-2-16. Effective May 4, 2021.

**TITLE 36  
LOCAL GOVERNMENT**

*Act 263; HB 286*

This Act restricts the ability of county governing authorities to reduce funding for county police departments, restricts the ability of municipal or consolidated government governing authorities to reduce funding for municipal police departments, and provides for exceptions. The Act requires that state and certain local governments provide an optional payroll deduction for certain public safety employees for legal insurance premiums.

The Act enacts O.C.G.A. Sections 36-8-8, 36-60-28, and 45-1-8. Effective July 1, 2021.

*Act 276; HB 459*

This Act prohibits annexations of county operated airport property by governing authorities of certain municipal corporations absent approval by the governing authority of the county operating the airport.

The Act amends O.C.G.A. Section 36-36-70. Effective May 10, 2021.

*Act 177; HB 161*

This Act removes a provision providing for the perpetual existence of downtown development authorities.

The Act amends O.C.G.A. Section 36-42-7. Effective May 4, 2021.

*Act 148; HB 465*

This Act prohibits local governments from imposing civil penalties upon an alarm system contractor for a false alarm that occurs through no fault of the alarm system contractor. The Act provides for definitions.

The Act enacts O.C.G.A. Section 36-60-28.

Effective May 3, 2021.

*Act 279; HB 579*

This Act amends the short title of O.C.G.A. Chapter 36-75 to read as the "Public Safety and Judicial Facilities Act." The Act repeals the requirement for referendums prior to the issuance of bonded indebtedness for new projects.

The Act amends O.C.G.A. Sections 36-75-1 and 36-75-11.

Effective July 1, 2021.

*Act 147; SB 182*

This Act defines the term "fence detection system" and limits the ability of counties, consolidated governments, and municipalities to regulate or prohibit such systems.

The Act enacts O.C.G.A. Section 36-60-12.1.

Effective July 1, 2021.

**TITLE 37**  
**MENTAL HEALTH**

*Act 280; HB 591*

This Act authorizes marriage and family therapists to perform certain acts which physicians, psychologists, and others are authorized to perform regarding emergency examinations of persons for involuntary evaluation and treatment for mental illness or alcohol or drug abuse. The Act also requires emergency receiving facilities and the Department of Behavioral Health and Developmental Disabilities to report information related to such involuntary evaluations and treatment.

The Act amends O.C.G.A. Sections 37-3-40, 37-3-41, 37-7-40, and 37-7-41.

Effective July 1, 2021.

**TITLE 38**  
**MILITARY, EMERGENCY MANAGEMENT, AND VETERANS AFFAIRS**

*Act 172; HB 105*

This Act authorizes pay for members of the Georgia National Guard who have consented to be called into active service to the state by the Governor without first declaring a state of an emergency, subject to certain conditions and limitations.

The Act amends O.C.G.A. Section 38-2-250.

Effective May 4, 2021.

*Act 8; HB 156*

This Act provides for additional agency powers and duties related to homeland security and the military. The Act requires agencies and utilities to share information and report cyber attacks to the director of emergency management and homeland security. The Act defines the terms "agency" and "utility." The Act provides for the director of emergency management and homeland security to promulgate certain rules and regulations and provides for certain reports and records related to cyber attacks to be exempt from public disclosure and inspection. The Act also authorizes the Governor to work to enhance the education and job placement of Georgians through memoranda of agreement with major military commands established in this state.

The Act enacts O.C.G.A. Sections 38-3-22.2 and 38-3-22.3.

Effective March 25, 2021.

*Act 213; SB 163*

This Act provides for the suspension of statutory speedy trial requirements when compliance with such statutory speedy trial requirements becomes impracticable following a judicial emergency; for applicable circumstances; for requirements; for notice; and for a sunset date. The Act also provides for intervention by the Chief Justice of the Supreme Court.

The Act amends O.C.G.A. Sections 38-3-61 and 38-3-62.

Effective May 4, 2021.

*Act 143; HB 631*

This Act provides for the operation of a system to voluntarily collect and disseminate information relating to conditions that may impede an individual's ability to communicate with law enforcement or emergency responders.

The Act amends O.C.G.A. Section 38-3-182.

Effective May 3, 2021.

**TITLE 40**  
**MOTOR VEHICLES AND TRAFFIC**

*Act 155; SB 159*

This Act revises provisions relating to student transportation to authorize local boards of education to use vehicles other than school buses to transport students to and from school related activities. The Act also establishes minimum requirements for such transportation, requires insurance, and revises the definition of "school bus."

The Act amends O.C.G.A. Sections 20-2-188 and 40-1-1 and enacts O.C.G.A. Section 20-2-1076. Effective July 1, 2021.

*Act 232; HB 174*

This Act updates the reference date to federal regulations regarding the safe operation of motor carriers and commercial motor vehicles.

The Act amends O.C.G.A. Section 40-1-8. Effective July 1, 2021.

*Act 134; SB 210*

This Act authorizes the use of digital license plates and the sale of such plates by private providers. The Act updates provisions related to the application for vehicle registration and the design and display of license plates and revalidation decals. The Act also establishes procedures, conditions, and standards for the issuance and display of digital license plates, provides for duties and rights of digital license plate providers, and requires the adoption of rules and regulations in relation to such license plates and providers. The Act further provides for surrender of such plates under certain circumstances and requires a report to be submitted to the chairpersons of two legislative committees.

The Act amends O.C.G.A. Sections 40-2-1, 40-2-4, 40-2-26, 40-2-31, 40-2-33, and 40-2-136 and enacts Article 2B of O.C.G.A. Chapter 40-2. Effective July 1, 2021.

*Act 150; HB 43*

This Act requires motor vehicle registration application forms to include optional information regarding certain conditions which may interfere with a driver's ability to communicate and provides for the sharing of such information with law enforcement upon a vehicle tag inquiry.

The Act amends O.C.G.A. Section 40-2-26. Effective July 1, 2021.

*Act 182; HB 207*

This Act requires electronic submission of certain documentation required to be submitted to the Department of Revenue by owners, manufacturers, distributors, dealers, secondary metals recyclers,

used motor vehicle parts dealers, scrap metal processors, towing and storage firms, repair facilities, and salvage dealers.

The Act amends O.C.G.A. Sections 40-2-38, 40-3-36, and 40-11-19.2.

Effective July 1, 2021.

***Act 145; SB 225***

This Act establishes a veteran's license plate for individuals who served in the armed forces for an ally of the United States during active military combat and provides for the design of such license plate.

The Act amends O.C.G.A. Section 40-2-85.1

Effective July 1, 2021.

***Act 222; SB 237***

This Act establishes a specialty license plate to support members of the United State Army Rangers and provides that the proceeds from such plates shall be disbursed to the National Ranger Memorial Foundation, Inc.

The Act amends O.C.G.A. Section 40-2-86.

Effective July 1, 2021.

***Act 242; HB 179***

This Act establishes a specialty license plate to support members of the United States armed forces and provides that the proceeds from such plates shall be disbursed to Support Our Troops, Inc. The Act establishes a specialty license plate to support the fight against cancer and provides that the proceeds from such plates shall be disbursed to the Georgia Center for Oncology Research and Education, Inc. The Act also amends the logo design for special license plates issued to support breast cancer related programs.

The Act amends O.C.G.A. Section 40-2-86.

Effective July 1, 2021.

***Act 194; HB 453***

This Act provides for standards for proof of eligibility for special license plates for certified, volunteer, and retired firefighters.

The Act amends O.C.G.A. Section 40-2-86.1.

Effective July 1, 2021.

***Act 214; SB 165***

This Act reduces the registration fee for low-speed alternative fueled vehicles, exempts certain autonomous vehicles from certain equipment standards, and requires the display of a reflective emblem or the use of a strobe light while operating a slow-moving or low-speed vehicle. The Act

also provides for the issuance of a permit relating to operation of an amber strobe light on a low-speed vehicle.

The Act amends O.C.G.A. Sections 40-2-151, 40-8-1, 40-8-4, and 40-8-35.

Effective July 1, 2021, and applies to vehicle registrations occurring on or after such date.

***Act 272; HB 210***

This Act exempts certain vehicles with a weight rating of more than 16,000 pounds from the requirement of disclosing odometer readings on certificates of title.

The Act amends O.C.G.A. Section 40-3-25.

Effective July 1, 2021.

***Act 196; HB 466***

This Act defines "driver education training course" and "driver training school" and requires the Department of Driver Services to establish standards for approval of such courses. The Act also revises requirements for the issuance of Class C and Class D drivers' licenses. The Act allows driver training schools to conduct on-the-road testing and provides for driving training requirements. The Act also provides for exemptions and waivers of certain fees and establishes examination standards for applicants by driver training schools. The Act further provides requirements for the issuance of licenses to driving school instructors and the transfer of ownership of driver training schools, risk reduction programs, and driver improvement programs.

The Act amends O.C.G.A. Sections 40-5-1, 40-5-22, 40-5-24, 40-5-25, 40-5-27, 40-5-83, 40-5-147, and 43-13-2 and enacts O.C.G.A. Sections 40-5-10, 43-13-6.2, and 43-13-7.1.

Effective July 1, 2021.

***Act 23; HB 338***

This Act revises qualifications for the issuance of veterans' driver's licenses.

The Act amends O.C.G.A. Section 40-5-36.

Effective July 1, 2021.

***Act 152; HB 534***

This Act establishes the offense of promoting or organizing an exhibition of illegal drag racing or laying drags. The Act also establishes the offense of reckless stunt driving and provides the punishment for such offense. The Act requires courts to report convictions of such offense to the Department of Driver Services. The Act also provides for the suspension of a driver's license upon conviction of reckless stunt driving, reinstatement of licenses thereafter, issuance of limited driving permits, and classification as a habitual violator. The Act further provides for fees and authorizes the forfeiture of vehicles in certain instances. The Act also provides for the commission of such offense in relation to homicide by vehicle, feticide by vehicle, serious injury by vehicle, and aggressive driving.

The Act amends O.C.G.A. Sections 40-5-53, 40-5-57.2, 40-5-58, 40-5-64, 40-6-393, 40-6-393.1, 40-6-394, and 40-6-397 and enacts O.C.G.A. Sections 16-11-43.1 and 40-6-390.1.  
Effective May 3, 2021, and applies to all offenses committed on and after such date.

***Act 180; HB 169***

This Act requires completion of a commercial driver training course which complies with federal regulation for a commercial driver's license and revises the length of validity of a commercial driver's license instruction permit to 365 days.

The Act amends O.C.G.A. Section 40-5-147.

Effective July 1, 2021, and the portions of the Act relating to driver training apply to the issuance of any commercial driver's license on or after January 1, 2022.

***Act 221; HB 353***

This Act provides for the proper operation of a motor vehicle when overtaking a bicyclist.

The Act amends O.C.G.A. Section 40-6-56.

Effective July 1, 2021, and applies to offenses committed on or after that date.

***Act 14; HB 693***

This Act prohibits the operation of farm tractors on interstate highways and provides for an exception. The Act also authorizes the operation of farm tractors on state and local roadways and provides requirements for such operation.

The Act enacts O.C.G.A. Section 40-6-308.

Effective July 1, 2021.

***Act 179; HB 165***

This Act authorizes the use of mounts on windshields of motor vehicles for the support of wireless telecommunications devices and stand-alone electronic devices under certain circumstances.

The Act amends O.C.G.A. Section 40-8-73.

Effective July 1, 2021.

**TITLE 42  
PENAL INSTITUTIONS**

***Act 199; HB 495***

This Act revises the duties of the Georgia Bureau of Investigation and the Sexual Offender Registration Review Board regarding the board's determination of a sexual offender's risk assessment classification.

The Act amends O.C.G.A. Sections 35-3-4, 42-1-12, and 42-1-13.

Effective July 1, 2021.

*Act 22; HB 168*

This Act provides that certain information within inmate files of the Department of Corrections shall not be classified as confidential state secrets when requested by the district attorney for purposes of responding to proposed actions of the State Board of Pardons and Paroles.

The Act amends O.C.G.A. Section 42-5-36.

Effective July 1, 2021.

**TITLE 43  
PROFESSIONS AND BUSINESSES**

*Act 208; SB 114*

This Act revises the grounds for refusing to grant or revoking certain professional or business licenses.

The Act amends O.C.G.A. Section 43-1-19.

Effective May 4, 2021.

*Act 189; HB 354*

This Act changes certain provisions related to the authority of the State Board of Funeral Service and the State Board of Cemeterians. The Act requires such boards to report suspected unlawful activity to the sheriff's office and the Attorney General. The Act requires the Attorney General to provide notice of such suspected unlawful activity to the appropriate prosecuting attorney.

The Act amends O.C.G.A. Section 10-14-3.1 and enacts O.C.G.A. Sections 43-8B-8 and 43-18-10. Effective May 4, 2021.

*Act 287; HB 395*

This Act revises certain licensing provisions. The Act enters Georgia into the Professional Counselors Licensing Compact. The Act authorizes the Georgia Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists to administer the compact in this state. The Act authorizes the board to conduct national background checks. The Act provides for conditions related to state participation in the compact. The Act provides for eligibility related to professional licensure.

The Act amends O.C.G.A. Sections 43-10A-1, 43-10A-3, 43-10A-4, 43-10A-5, 43-10A-7, 43-10A-8, 43-10A-15, 43-10A-16, 43-10A-17, 43-10A-18, 43-10A-19, 43-10A-21, 43-10A-22, and 43-10A-23 and enacts Articles 1 and 2 of O.C.G.A. Chapter 43-10A and O.C.G.A. Sections 43-10A-50 and 43-10A-51.

Effective July 1, 2021.

***Act 288; SB 5***

This Act provides patient protection measures for patients undergoing sedation in certain settings. The Act provides for patients under conscious sedation in dental settings and for dental procedures in medispas. The Act requires certain training by dental assistants and dental hygienists relating to the performance of phlebotomy and venipuncture procedures. The Act provides for patients under varying levels of sedation in physician offices and medispas. The Act provides for definitions related to sedation and rescue. The Act provides for rules and regulations. The Act provides for enforcement. The Act provides for statutory construction related to the unlawful practice of medicine.

The Act amends O.C.G.A. Section 43-11-21 and enacts O.C.G.A. Sections 43-11-23 and 43-34-47. Effective July 1, 2021.

***Act 291; HB 458***

This Act provides for requirements on certain medical professionals relating to professional boundaries and misconduct. The Act provides for continuing education requirements including legal ethics and professionalism in the practice of dentistry. The Act requires certain training relating to sexual misconduct for members of the Georgia Composite Medical Board. The Act provides for the refusal, suspension, or revocation of the license of a physician who has committed a sexual assault on a patient. The Act requires the completion of continuing education by physicians relating to sexual misconduct. The Act requires the development and identification of educational resources and materials relating to sexual misconduct and the impacts of trauma for physicians, board members, and board staff. The Act requires medical schools and osteopathic medical schools to provide training to medical students on sexual misconduct. The Act provides for mandatory reporting by health care providers who have actual knowledge that a physician has committed a sexual assault on a patient. The Act provides for limited liability related to the reporting of a physician to the relevant governing board. The Act provides for fines and disciplinary action. The Act provides for the release of investigative records by law enforcement. The Act provides for annual reporting to the General Assembly of the number of physicians investigated or disciplined for the sexual assault of patients. The Act provides for definitions related to health care provider and sexual assault.

The Act amends O.C.G.A. Sections 43-11-46.1, 43-34-2, 43-34-8, 43-34-11, 43-34-26, and 43-34A-9 and enacts O.C.G.A. Sections 43-34-14 and 43-34-47.

Effective July 1, 2021.

***Act 206; SB 27***

This Act extends the time a member of the military has to qualify for the issuance of a license or certification as an electrical contractor, plumber, conditioned air contractor, low-voltage contractor, or utility contractor using his or her military specialty or certification.

The Act amends O.C.G.A. Section 43-14-15.

Effective May 4, 2021.

***Act 176; HB 124***

This Act provides for multiple cremation devices. The Act provides for a definition of "cremation device." The Act provides for rules and regulations. The Act provides for conforming amendments. The Act provides for certain inspections.

The Act amends O.C.G.A. Sections 43-18-1, 43-18-8, and 43-18-72.

Effective May 4, 2021.

***Act 286; HB 268***

This Act revises licensing provisions related to occupational therapists. The Act enters Georgia into an interstate compact known as the Occupational Therapy Licensure Compact. The Act authorizes the State Board of Occupational Therapy to administer the compact in this state. The Act provides for definitions related to the compact. The Act provides for conditions related to state participation in the compact. The Act provides for eligibility related to the licensure of occupational therapists.

The Act amends O.C.G.A. Sections 43-28-1, 43-28-2, 43-28-3, 43-28-4, 43-28-5, 43-28-6, 43-28-7, 43-28-8, 43-28-9, 43-28-10, 43-28-11, 43-28-12, 43-28-13, 43-28-14, 43-28-15, and 43-28-16 and enacts Articles 1 and 2 of Chapter 43-28 and O.C.G.A. Sections 43-28-20 and 43-28-21.

Effective July 1, 2021.

***Act 184; HB 245***

This Act revises a provision relating to fingerprint and criminal background checks for licensure of physicians, physician assistants, and others. The Act revises a provision relating to fingerprint and criminal background checks for licensure of podiatrists.

The Act amends O.C.G.A. Sections 43-34-13 and 43-35-12.1.

Effective May 4, 2021.

***Act 153; HB 364***

This Act authorizes persons having completed Georgia Peace Officer Standards and Training to serve as a private guard, watchman, or patrolman while awaiting licensure approval to serve as an armed employee of private detective and private security businesses. The Act provides such certification to serve as evidence of citizenship. The Act exempts such person from submission of fingerprints upon application.

The Act amends O.C.G.A. Section 43-38-7.

Effective July 1, 2021.

***Act 285; HB 34***

This Act revises licensing provisions related to speech-language pathologists and audiologists. The Act enters Georgia into the Audiology and Speech-Language Pathology Interstate Compact. The Act provides the State Board of Examiners for Speech-Language Pathology and Audiology with

the power to administer such compact in this state and to conduct national background checks for which applicants for licensure are required to submit fingerprints. The Act provides for definitions related to speech-language pathologists and audiologists. The Act provides for conditions related to state participation in the compact. The Act provides for eligibility related to the licensure of speech-language pathologists and audiologists.

The Act amends O.C.G.A. Sections 43-44-1, 43-44-3, 43-44-4, 43-44-5, 43-44-6, 43-44-7, 43-44-8, 43-44-9, 43-44-10, 43-44-15, 43-44-16, and 43-44-17 and enacts Articles 1 and 2 of O.C.G.A. Chapter 43-44 and O.C.G.A. Sections 43-44-30 and 43-44-31.

Effective July 1, 2021.

## **TITLE 44 PROPERTY**

### ***Act 197; HB 470***

This Act provides that no plans are required to be recorded for certain condominium units that are not designated by physical structures. The Act also provides that a separate plat of survey is not required for a subcondominium.

The Act amends O.C.G.A. Section 44-3-83.

Effective July 1, 2021.

### ***Act 236; SB 75***

This Act allows persons protected by civil and criminal stalking orders to terminate residential rental or lease agreements.

The Act amends O.C.G.A. Section 44-7-23.

Effective July 1, 2021, and applies to all residential real estate rental or lease agreements entered into on or after July 1, 2021, and to any renewals, modifications, or extensions of such agreements entered into on or after such date.

### ***Act 277; HB 480***

This Act revises the qualifications to become an applicant for a real estate broker or associate broker's license. The Act also provides for mechanics and materialmen liens for interior designers.

The Act amends O.C.G.A. Sections 43-40-8, 44-14-360, 44-14-361, 44-14-361.1, 44-14-361.3, and 44-14-365.

Effective May 10, 2021, and Sections 2 through 8 of the Act apply to labor, services, or materials performed or furnished by registered interior designers on or after such date.

### ***Act 210; SB 143***

This Act conforms a reference within a statutory form regarding waiver of lien and labor or material bond rights.

The Act amends O.C.G.A. Section 44-14-366.  
Effective July 1, 2021.

**TITLE 45**  
**PUBLIC OFFICERS AND EMPLOYEES**

*Act 173; HB 106*

This Act revises the definition of the term "law enforcement officer" to include members of the State Defense Force for coverage under the Georgia State Indemnification Fund.

The Act amends O.C.G.A. Section 45-9-81.  
Effective May 4, 2021.

*Act 168; SB 60*

This Act revises when indemnification shall be paid from the Georgia State Indemnification Fund in instances of a heart attack, stroke, or vascular rupture suffered by a public safety officer resulting in certain disabilities or death. The Act defines terms, including, but not limited to, "public safety officer" and "work related activity."

The Act amends O.C.G.A. Sections 45-9-85 and 45-9-88.  
Effective May 4, 2021.

*Act 225; HB 146*

This Act provides for paid parental leave for eligible state employees and eligible local board of education employees for certain qualifying life events. The Act provides for definitions, eligibility, terms and conditions, certain prohibitions, and rules.

The Act amends O.C.G.A. Section 45-20-17.  
Effective May 5, 2021.

**TITLE 46**  
**PUBLIC UTILITIES AND PUBLIC TRANSPORTATION**

*Act 254; HB 150*

This Act prohibits governmental entities from adopting any policy that prohibits the connection or reconnection of any utility service or sales of certain fuels based upon the type or source of energy or fuel. The Act defines terms "governmental entity" and "policy."

The Act enacts O.C.G.A. Section 46-1-6.  
Effective May 6, 2021.

**TITLE 47**  
**RETIREMENT AND PENSIONS**

*Act 271; HB 173*

This Act, regarding the board of trustees of the Employees' Retirement System of Georgia, requires that in the election of certain trustees the current trustees must consider any individuals nominated by certain organizations of state retirees. The Act also increases the percentage of certain retirement systems' assets that may be invested in alternative investments and provides limitations for the Teachers Retirement System of Georgia and the Employees' Retirement System of Georgia.

The Act amends O.C.G.A. Sections 47-2-21 and 47-20-87.

Effective July 1, 2021.

**TITLE 48**  
**REVENUE AND TAXATION**

*Act 3; HB 265*

This Act revises the terms "Internal Revenue Code" and "Internal Revenue Code of 1986" to incorporate changes in federal law.

The Act amends O.C.G.A. Section 48-1-2.

Effective February 24, 2021, provided that the Act applies to all taxable years beginning on or after January 1, 2020.

*Act 41; SB 185*

This Act requires that certain questions of law decided by a court or the Georgia Tax Tribunal be decided without deference to determinations or interpretations of the Department of Revenue with certain exceptions.

The Act amends O.C.G.A. Sections 48-2-18, 48-2-35, 48-2-59, and 50-13A-14.

Effective April 29, 2021, provided that the Act applies to all proceedings commenced before the Georgia Tax Tribunal or a superior court of this state on or after such date.

*Act 162; HB 451*

This Act provides for the optional determination by a taxpayer of the fair market value applicable to inventory for which a level 1 freeport exemption is sought for certain taxable years.

The Act amends O.C.G.A. Section 48-5-48.1.

Effective May 4, 2021.

*Act 250; SB 193*

This Act grants counties the option of requiring that mobile homes procure and display decals. The Act revises the time for payment of related ad valorem taxes.

The Act amends O.C.G.A. Sections 48-5-263, 48-5-492, 48-5-493, and 48-5-495.  
Effective May 6, 2021.

***Act 187; HB 292***

This Act removes certain training requirements for members of county boards of equalization following their initial training for their first term.

The Act amends O.C.G.A. Section 48-5-311.  
Effective May 4, 2021.

***Act 267; SB 201***

This Act requires financial institutions to provide certain information related to delinquent taxpayers to the Department of Revenue under certain conditions. The Act also provides for certain counties contracting with municipalities for services to be performed by county tax commissioners.

The Act amends O.C.G.A. Section 48-5-359.1 and enacts O.C.G.A. Section 48-2-63.  
Effective May 10, 2021.

***Act 256; HB 282***

This Act limits the determination of fair market value for qualified timberland to a weighted market and income approach and revises certain requirements for certification of such timberland.

The Act amends O.C.G.A. Sections 48-5-600, 48-5-602, and 48-5-604.  
Effective July 1, 2021.

***Act 169; HB 63***

This Act amends the definition of "fair market value of a motor vehicle for alternative ad valorem tax purposes" to exclude certain interest and finance charges for leased motor vehicles.

The Act amends O.C.G.A. Section 48-5C-1.  
Effective January 1, 2022.

***Act 164; HB 149***

This Act allows for certain elections to be made by Subchapter "S" corporations and partnerships for the filing of tax returns and imposition of taxes.

The Act amends O.C.G.A. Sections 48-7-21, 48-7-23, 48-7-24, 48-7-27, 48-7-100, and 48-7-129.  
Effective May 4, 2021, provided that the Act applies to all taxable years beginning on or after January 1, 2022.

***Act 6; HB 593***

This Act increases the amount of the standard deduction from state taxable income for individuals.  
The Act amends O.C.G.A. Section 48-7-27.

Effective July 1, 2021, provided that the Act applies to all taxable years beginning on or after January 1, 2022.

***Act 166; SB 6***

This Act provides for economic analyses to be conducted for certain tax benefits upon request by the chairpersons of the House Committee on Ways and Means and the Senate Finance Committee and for summaries of such analyses to be attached to related fiscal notes. The Act provides a tax credit for medical equipment and supplies manufacturers and pharmaceutical and medicine manufacturers and changes jobs limits and revises the requirements for such tax credit for certain projects. The Act further provides tax credits for high-impact aerospace defense projects. The Act extends an income tax credit for expenditures on the maintenance of railroad track owned or leased by Class III railroads and the sunset date for the exemption for projects of regional significance. The Act additionally exempts sales of tickets, fees, or charges for admission to certain fine arts performances or exhibitions from sales and use taxes. The Act furthermore renews a sales tax exemption for maintenance and replacement parts used in machinery or equipment that is used to mix, agitate, and transport freshly mixed concrete. The Act extends the sunset provision for an exemption for sales taxes on certain tangible personal property sold or used to maintain, refit, or repair a boat during a single event and revises certain tax credits for the rehabilitation of historic structures, a limitation on business enterprises eligible for a tax credit for research and development, and an exemption for the sale or lease of certain computer equipment. The Act provides clarification regarding a sales tax exemption for certain computer equipment and the exclusion for telephone central office equipment or other voice data transport technology.

The Act amends O.C.G.A. Sections 48-7-29.8, 48-7-40.1A, 48-7-40.12, 48-7-40.24, 48-7-40.25, 48-7-40.34, 48-8-3, 48-8-3.2, and 48-8-3.4 and enacts O.C.G.A. Sections 28-5-41.1 and 48-7-40.1B. Effective July 1, 2021.

***Act 5; HB 114***

This Act revises the tax credit for adoption of foster children.

The Act amends O.C.G.A. Section 48-7-29.15.

Effective July 1, 2021, provided that the Act applies to all taxable years beginning on or after January 1, 2021.

***Act 157; SB 66***

This Act authorizes certain nonprofit corporations to receive private donations to be used for grants to public schools. The Act also provides for the dissolution of the Public Education Innovation Fund Foundation. The Act further provides for an income tax credit for qualified education donations.

The Act amends O.C.G.A. Sections 20-2-14.1, 20-14-26.1, and 48-7-29.21.

Effective July 1, 2021.

***Act 27; HB 32***

This Act establishes a teacher recruitment and retention program for an income tax credit for teachers who agree to teach in certain schools. The Act also provides for a tax credit for taxpayers who participate in such programs.

The Act amends O.C.G.A. Section 20-2-251 and enacts O.C.G.A. Section 48-7-29.23.

Effective July 1, 2021, provided that the Act applies to all taxable years beginning on or after January 1, 2022.

***Act 234; HB 374***

This Act exempts local water and sewer authorities from sales and use taxes.

The Act amends O.C.G.A. Section 48-8-3.

Effective July 1, 2021.

***Act 260; HB 498***

This Act exempts from sales and use tax certain sales of mechanically propelled watercraft by a dealer licenced to an individual who resides outside of the State of Georgia under certain conditions. The Act expands an exemption for agricultural equipment and certain farm products held by certain entities and adds dairy products and unfertilized eggs of poultry as qualified farm products with respect to such exemption.

The Act amends O.C.G.A. Sections 48-8-3 and 48-5-41.1.

Effective July 1, 2021, provided that Part II of the Act will be effective January 1, 2023, only if a referendum approving such exemption is approved at the November, 2022, general election. If the referendum is not approved, or the election is not held, the Act shall stand repealed by operation of law on January 1, 2023.

***Act 167; HB 575***

This Act provides for the levy and sunset of joint county and municipal sales and use tax by consolidated governments and for related referenda.

The Act enacts O.C.G.A. Section 48-8-97.

Effective May 4, 2021.

***Act 270; HB 160***

This Act redefines the term "municipality" in relation to MOST tax. The Act also provides for audits of such tax by the state auditor under certain conditions.

The Act amends O.C.G.A. Sections 48-8-200 and 48-8-212.

Effective May 10, 2021.

*Act 21; HB 317*

This Act revises the definition of "innkeeper" to include marketplace facilitators and defines the term "marketplace innkeeper." The Act also expands the state levy of a nightly excise tax and provides for exceptions.

The Act amends O.C.G.A. Sections 48-13-50.2, 48-13-50.3, and 48-13-51 and enacts O.C.G.A. Section 48-13-50.4.

Effective July 1, 2021, provided that the Act applies to each instance of the furnishing for value to the public any room or rooms, lodgings, or accommodations occurring on or after July 1, 2021; provided, further, that the provisions of Section 2 of the Act shall not be applicable to any rental or lease for value to the public of any room or rooms, lodgings, or accommodations which are not hotel or motel rooms for which a reservation was made and any payment or deposit was tendered prior to July 1, 2021.

**TITLE 49  
SOCIAL SERVICES**

*Act 178; HB 163*

This Act directs the Department of Community Health to submit a state plan amendment to implement express lane eligibility in Medicaid and the PeachCare for Kids Program. The Act directs the Department of Human Services to automatically enroll and renew eligible children in Medicaid and the PeachCare for Kids Program, based on application data received for the Supplemental Nutrition Assistance Program.

The Act enacts O.C.G.A. Section 49-4-159.1.

Effective July 1, 2021.

*Act 135; HB 548*

This Act provides for reasonable access to records concerning reports of child abuse to the Administrative Office of the Courts. The Act provides for agreements with the Division of Family and Children Services to ensure confidentiality.

The Act amends O.C.G.A. Section 49-5-41.

Effective July 1, 2021.

**TITLE 50  
STATE GOVERNMENT**

*Act 2; HB 80*

This Act amends the 2020-2021 "General Appropriations Act" to change certain appropriations for State Fiscal Year 2020-2021.

Effective February 15, 2021.

***Act 305; HB 81***

This Act, the "General Appropriations Act," provides for the operation of state government for State Fiscal Year 2021-2022.

Effective May 10, 2021.

***Act 17; SB 100***

This Act provides that Georgia and all of its political subdivisions shall observe daylight savings time year round.

The Act enacts O.C.G.A. Section 50-1-10.

Effective July 1, 2021, except that this Code section shall become effective only if the United States Congress amends 15 U.S.C. Section 260a to authorize states to observe daylight savings time year round.

***Act 13; SB 222***

This Act designates the pecan as the official Georgia state nut. The Act includes legislative findings relating to pecans.

The Act enacts O.C.G.A. Section 50-3-91.

Effective July 1, 2021.

***Act 209; SB 140***

This Act provides for placement of a monument in honor of the Honorable Zell Bryan Miller upon the capitol grounds of the state capitol building.

The Act enacts O.C.G.A. Section 50-3-120.

Effective July 1, 2021.

***Act 161; HB 611***

This Act revises the definition of the term "small business" under "The Small Business Assistance Act of 2015." The Act provides for certain organizations to share data related to Georgia resident businesses and small businesses with the Department of Administrative Services. The Act also defines the terms "innovation," "innovative product or service," and "startup."

The Act amends O.C.G.A. Section 50-5-121 and enacts O.C.G.A. Sections 50-5-122 and 50-7-90. Effective July 1, 2021.

***Act 38; HB 553***

This Act provides for participation in certain administrative hearings by remote electronic communications. The Act provides for electronic filing and electronic service of documents relating to certain administrative proceedings. The Act provides for the electronic availability or transfer of the record in certain administrative proceedings. The Act also provides that the Department of

Community Health is considered a reviewing agency for purposes of certain contested administrative cases.

The Act amends O.C.G.A. Sections 50-13-15 and 50-13-41.

Effective April 29, 2021.

***Act 171; HB 98***

This Act provides for meetings and public hearings to be held by teleconference in certain emergency conditions. The Act requires that when a public hearing is held by teleconference, members of the public must be afforded the means to participate fully in the same manner as if such members of the public were physically present. The Act provides that the term "emergency conditions" includes declarations of federal, state, or local states of emergency.

The Act amends O.C.G.A. Section 50-14-1.

Effective May 4, 2021.

***Act 35; HB 134***

This Act permits meetings relating to cybersecurity contracting and planning to occur in executive session under the Georgia Open Meetings Act, subject to certain conditions. The Act also provides for an exemption from disclosure under the Georgia Open Records Act for certain documents relating to cybersecurity plans and systems.

The Act amends O.C.G.A. Sections 50-14-3 and 50-18-72.

Effective April 29, 2021.

***Act 247; SB 32***

This Act exempts from public disclosure certain personal records maintained by the director of the professional licensing boards division of the Secretary of State's office. The Act also excepts from required public disclosure under the Georgia Open Records Act certain telephone contact information. The Act expands the definition of the term "public employee" to include any officer, employee, or former employee of the federal government or its agencies, departments, or commissions.

The Act amends O.C.G.A. Sections 43-1-2 and 50-18-72.

Effective May 6, 2021.

***Act 249; SB 255***

This Act provides for a grant program to support border region retail and tourism projects in the state. The Act defines the term "border region," provides for grant criteria, and provides for rule making authority. The Act includes legislative findings.

The Act enacts O.C.G.A. Section 50-34-19.

Effective July 1, 2021.

**TITLE 51  
TORTS**

***Act 28; SB 33***

This Act creates a cause of action against perpetrators for victims of human trafficking. The Act enacts O.C.G.A. Section 51-1-56. Effective July 1, 2021.

***Act 255; HB 90***

This Act exempts persons, firms, and corporations that are buyers in the ordinary course of business from certain liability damages related to conversion of timber. The Act also clarifies the persons from whom a person holding a security interest in land has a right to recover and the measure of damages for such recovery.

The Act amends O.C.G.A. Sections 51-12-50 and 51-12-51. Effective July 1, 2021.

***Act 275; HB 443***

This Act enacts the "Georgia Structured Settlement Protection Act" which provides new requirements for the transfer of structured settlement payment rights. The Act defines related terms, requires transferees to register with the Secretary of State, and authorizes the Secretary of State to charge a fee. The Act also prohibits certain acts, requires disclosures, and provides for court approval of transfers.

The Act repeals and reenacts Article 4 of O.C.G.A. Chapter 51-12.

Effective July 1, 2021, and applies to any transfer of structured settlement payment rights under a transfer agreement entered into on or after July 1, 2021.

***Act 175; HB 112***

This Act extends the applicability of the "Georgia COVID-19 Pandemic Business Safety Act," which provides liability protections for businesses for claims related to COVID-19, for one year, until July 14, 2022.

The Act amends O.C.G.A. Chapter 51-16.

Effective July 1, 2021, and only applies to causes of action that accrue until July 14, 2022, and shall not apply to any causes of action accruing thereafter.

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